UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

THIRD COMMITTEE
49th meeting
held on
Friday, 22 November 1996
at 3 p.m.
New York

SUMMARY RECORD OF THE 49th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued)

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued)

AGENDA ITEM 106: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued)

AGENDA ITEM 108: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued)

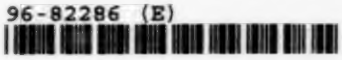
This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/51/SR.49
13 August 1997

ORIGINAL: ENGLISH

96-82286 (E)



The meeting was called to order at 3.10 p.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued) (A/51/3 (Parts I and II), A/51/81, 87, 90, 114, A/51/208-S/1996/543, A/51/210 and A/51/462-S/1996/831; A/C.3/51/9)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/51/L.33 and L.34/Rev.1)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/51/153, 170, 201, 290, 395, 453 and Add.1, 457, 480, 506, 536, 539, 542 and Add.1 and 2, 552, 555, 558, 561, 641 and 650; A/C.3/51/6)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/51/80-S/1996/194, A/51/189, A/51/203-E/1996/86, A/51/204, 241, 347, 459, 460, 466, 478, 479, 481, 483 and Add.1 and Add.2, 490, 496 and Add.1, 507, A/51/532-S/1996/864, A/51/538, 556, 557, A/51/651-S/1996/902, A/51/657, 660, A/51/663-S/1996/927 and A/51/665-S/1996/931; A/C.3/51/3, 8, 10-13, 15 and 16)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/51/36)

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/51/36)

1. Mr. UBALIJORO (Rwanda), reaffirming his country's commitment to respecting the rights and freedoms of all Rwandans, said that in the aftermath of genocide, the administration of justice was a particular problem in Rwanda, as the United Nations High Commissioner for Human Rights had corroborated. With only 16 practising lawyers in the entire country and no resources for investigation, witness protection or compensation and representation of victims or survivors of genocide, neither the International Tribunal for Rwanda nor the Rwandan Government had the means to meet the challenge.

2. In an attempt to ensure transparency and to counter accusations of human rights violations, government files, prisons, archives and villages had been opened to international organizations, human rights observers and journalists, but that had not necessarily led to objective reporting.

3. Of the more than $10 million that Governments were being asked to provide to the Human Rights Field Operation in Rwanda (A/51/478, pp. 14 and 15), 99.9 per cent was earmarked for staff salaries and costs, consultant fees and administrative support costs for United Nations observers. That meant that none of the funds contributed by well-meaning Governments would be used to help Rwanda train local human rights observers and police investigators, pay lawyers and magistrates or provide equipment to local courts. It would be pointless for the almost $30 million that the United Nations High Commissioner for Human Rights was reportedly requesting for 1997 to boost the number of United Nations observers in Rwanda to be spent in the same way. Half that amount, however, if given directly to Rwanda for the human rights purposes indicated, would be a

most needed and valuable contribution. The draft resolution on the matter should reflect those realities.

4. The same Administration which had singlehandedly put an end to the genocide was now working to protect and assist its victims. In close cooperation with the United Nations Operation but against enormous odds, it had done everything in its power: a law on the crime of genocide and other legal provisions had been adopted, and prison overcrowding had been relieved. The recent voluntary return of refugees from eastern Zaire, where they had been held captive by the perpetrators of the genocide, was encouraging. However, the massive flow of refugees exceeded the means of his Government, and as it had done in the past, the international community must come to its aid.

5. Ms. FOO (Singapore) said that, in advocating the adoption of draft resolution calling for the abolition of the death penalty (A/51/457, para. 145), the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions had overstepped his purely monitoring mandate. Some countries opposed capital punishment as a matter of principle, while others regarded it as a necessary component of their justice system or as an integral part of their unalterable religious laws, and each camp had to respect the other's position. Capital punishment had been described as a human rights issue, but the rights of the victims and of society at large had to be weighed against those of convicted criminals. Singapore was one of the nations which, in order to protect its law-abiding majority, deter serious crime such as drug trafficking and maintain general law and order, favoured the death penalty. It would never consent to a decision of the General Assembly urging its abolition even though there was no consensus that it was contrary to international law. Singapore itself had no intention of changing practices that worked for the country.

6. In the interim report of the Commission's Special Rapporteur on implementation of the Declaration on the Elimination of All Forms of Religious Intolerance and of Discrimination Based on Religion or Belief (A/51/542), Singapore was said to have practised religious discrimination by banning specific religions communities such as the Jehovah's Witnesses. To the contrary, Singapore's Constitution guaranteed the right of every citizens in its multireligious society to practise his or her religion and the propagate it. Freedom of worship, however, was not an absolute and unqualified right and the wider interests of society must take precedence. The Constitution specified that that right did not, for instance, override the requirement to protect public order, public health or morality, a principle entirely consistent with article 29 of the Universal Declaration of Human Rights. The Jehovah's Witness movement had not been outlawed in Singapore for religious reasons but for reasons of national security, owing to the refusal of its members to perform national military service, to which Singapore did not recognize conscientious objection. All citizens without exception must be prepared to defend the country, as required by law. Since the Jehovah's Witnesses movement had been banned, it was, furthermore, unlawful for its member to conduct meetings or distribute materials, as stipulated in all other similar civil cases.

7. Mr. ALAIDEROOS (Yemen) said that his delegation wished to express its reservations with regard to some paragraphs for the interim report on extrajudicial, summary or arbitrary executions prepared by the Special

Rapporteur of the Commission on Human Rights (A/51/457) and to express its great surprise at the erroneous accusations levelled at Yemen. It reserved the right to reply to those paragraphs at the appropriate time.

8. The agenda item under consideration concerned one of the most important elements of the new world order. Respect for and implementation of the principles contained in international human rights instruments would strengthen and support democracy, security, peace and social justice and provide new opportunities for increased cooperation.

9. Respect for human rights was enshrined in the Yemeni Constitution and legislation, and the country had become a party to most of the international human rights instruments. Prompted by the belief that democracy and the right to development were inalienable human rights, his country was engaged in the pursuit of democracy, guided by the relevant international instruments and conventions, and taking national characteristics into account.

10. Yemen had laid the groundwork for a democratic system built on political pluralism and relied on the principle of the peaceful change of authority as the basis for political life. The country's first free elections had been held in 1993, and preparations were currently being made to register voters for the second round of parliamentary elections since the country's reunification. There were 20 political parties or organizations in the country, and more than 100 party and independent newspapers bore witness to the freedom of the press. Efforts were being made to achieve balanced social and economic development in which the people were actively involved. That democratization and development process would help to strengthen security and stability at the local and regional levels and should be encouraged by the international community.

11. His delegation wished to express its appreciation for the role played by the United Nations High Commissioner for Human Rights and for the latter's efforts to restructure the Centre for Human Rights and increase its effectiveness, which the Government of his country was following with interest. He wished to assure the High Commissioner of Yemen's desire to cooperate in all efforts aimed at strengthening and protecting human rights.

12. Mr. OLIYNYK (Ukraine), speaking on the subject of the rights of national minorities, said that Ukraine adhered to the principle of pluralism, supporting all ethnic groups residing in the country, while promoting the idea of unifying and consolidating Ukrainian society as a whole. Both aspects of that policy were necessary for stability in the country. In order to attain those goals, Ukraine had adopted a series of legislative acts and created the corresponding institutional mechanisms. It had become one of the few newly independent States which had managed to avoid inter-ethnic conflicts and confrontations.

13. The main principles of his Government's policy in that area were to ensure equality of constitutional rights and freedoms to all citizens, to strengthen legal safeguards against discrimination, extremism and intolerance, to promote mutual trust among ethnic groups and respect for their language and cultures, and to create conditions that would enable all citizens to express their ethnic, cultural and religious identities freely. Education in the languages of minorities was being promoted. There would be no room in Ukraine for policies

of forced assimilation, for superiority of one ethnic group over others or for special privileges or status for any group.

14. At the same time, there was a vital need to revive the Ukrainian culture and language, which had suffered much from adverse policies in the past. That revival would not, however, take place at the expense of any national minority or ethnic group. Ukraine strongly rejected any attempts to exploit ethnic issues for political gain, to the detriment of inter-ethnic accord or of the country's stability and integrity.

15. The restoration of the rights of peoples deported from Ukraine under Stalin was one of the specific issues facing the country. His Government was doing its best to ensure the return of those peoples and their legal, political, social and cultural rehabilitation. The return process had been unfolding on a massive scale, involving Crimean Tartars, Germans, Greeks and others. Most of them were heading for the Crimean region, which had already taken in more than 260,000 former deportees and their descendants. His Government's programme for the resettlement of returnees was heavily dependent upon the availability of financial resources. It was to be hoped that increasing international awareness of the complexity of the problem, and in particular the efforts of the United Nations Development Programme (UNDP) office in Kiev, would help to ease the situation. His Government hoped that similar attention would be given to the needs of the more than 12 million ethnic Ukrainians residing in more than 50 other countries and believed that the country of citizenship or permanent residence bore the primary responsibility for securing the rights of minorities in its territory.

16. Bilateral mechanisms could provide effective legal means of protecting minorities in neighbouring countries, and Ukraine had achieved some positive results by such means. Constructive and mutually respectful cooperation by States would help to prevent any mass migration that might be caused by neglect of minority rights.

17. The effectiveness of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities could be substantially enhanced by more active involvement of United Nations treaty bodies and special rapporteurs as well as a wider utilization and development of the capacities of the United Nations system for the prevention and settlement of inter-ethnic and related conflicts. Constructive intergovernmental cooperation and more effective international monitoring of efforts to protect human rights and the rights of national minorities were a necessary prerequisite for peace and stability throughout the world.

18. Mr. KAMAL (Pakistan), speaking on agenda items 100 (c) and (d), said that India, supported by an occupying force of over 700,000 in Indian-held Kashmir, had been violating the right to self-determination of the people of Kashmir for the past six years with complete impunity, reneging on its commitment to hold a United Nations-sponsored plebiscite. During that period, more than 500,000 Kashmiris, most of them civilians, had been killed, over 26,000 had been arrested and held in detention centres with a high incidence of death by torture and over 90,000 had disappeared. Other Indian tactics had been the rape of more than 400,000 women and girls by the military, the brutal destruction of entire villages and the use of paramilitary terrorists to commit human rights abuses.

The overwhelming peaceful demands of the Kashmiris for self-determination in the disputed territory, which had never been a part of India, were not a matter of religious extremism, terrorism or secession, as India maintained, but could be satisfied only by the holding of the plebiscite advocated by the international community, for which the universally denounced sham elections recently held by India were no substitute.

19. To resolve the crisis, the United Nations should send a fact-finding mission to Jammu and Kashmir, and the international media and human rights organizations should be given free access to Indian-held Kashmir and India should renounce the use of force in Kashmir, halt its human rights violations and systematic repression there, accept the good offices offered by the Secretary-General as well as Pakistan's proposals on the appointment of a special representative and the expansion of the United Nations Military Observer Group in India and Pakistan (UNMOGIP), and enter into meaningful talks.

20. In order to uphold the principles of the Charter and the Vienna Declaration and Programme of Action, symbolic censure was not enough. It was imperative that the violators of human rights should be brought to justice through the exercise of the collective will of nations.

21. Mr. REZVANI (Islamic Republic of Iran) said that the reports on the situation of human rights in his country by the Special Representative of the Commission on Human Rights had become an instrument for the unhealthy politicization and exploitation of the issue of human rights by some countries for their own purposes. Those same countries traditionally sponsored a draft resolution on his country that was intended to be a form of political pressure, without regard for the truth or for the fact that the Islamic Republic of Iran had cooperated fully with the United Nations human rights machinery and had instituted an increasing number of human rights measures.

22. The reference to the Rushdie question in both the draft resolution on the situation of human rights in the Islamic Republic of Iran (A/C.3/51/L.41) and the Special Representative's interim report (A/51/479) should be dismissed as nothing more than anti-Islamic propaganda. On the two important questions of democracy and the status of women in his country raised by the Special Representative, however, the five parliamentary elections and six presidential elections held since 1979 testified to his country's strong democratic system, which could not be belied by some possible irregularities in the recent general election. Regarding the situation of women, a special commission on the family and women's affairs had been established in the Islamic Consultative Parliament, as well as an expert group to promote the rights of women, and courses in women's studies had been added to the university curriculum. There had also been a considerable increase in the number of women deputies in the Parliament and of women occupying key decision-making positions in the Administration.

23. The draft resolution's subjective and hasty conclusion regarding execution was not borne out by the facts: any executions had been carried out only after due process of law and had for the most part involved convicted drug traffickers, a devastating menace in his country. Neither in spirit nor in language could the draft resolution be considered conducive to cooperation, and, when the time came, his delegation intended to vote against it. To the so-

called champions of human rights who were sponsoring it he wished to say that cooperation, and not short-sighted confrontation, was the solution.

24. Mr. MANOLOPOULOS (Greece) said that his Government subscribed fully to the statement made at an earlier meeting by the representative of Ireland on behalf of the European Union on agenda items 110 (b) and (c).

25. On the question of Cyprus, his delegation felt obliged to draw the attention of the international community to recent serious human rights violations committed by the Turkish occupation forces and other Turkish organizations which had resulted in the deaths of three Greek Cypriot civilians, as well as injuries to other persons, including United Nations peacekeepers. Such brutalities perpetuated a dangerous and unpredictable situation, jeopardizing security in the volatile Eastern Mediterranean region and revealing Turkey's total disrespect for the right to life.

26. Cyprus continued to be divided as a result of the invasion by Turkey 22 years before. Two hundred thousand Greek Cypriots who had been expelled from their homes remained refugees in their own country, and their property was being distributed to settlers from mainland Turkey and to members of the Turkish occupation forces. Turkey had been systematically attempting to alter the country's demographic structure. The few Greek Cypriots still inhabiting the occupied part of the island lived under oppression, discrimination and harassment. Human rights violations had included denial of the freedom of movement and of educational and religious facilities; there had also been numerous cases of violence, including arson, assault, robbery and even murder. The situation had been depicted in Security Council resolution 1062 (1996) and was well documented in reports from the United Nations and other international bodies. The continuing plight of the families of Greek Cypriot missing persons should not be forgotten.

27. Fundamental freedoms had been systematically violated in Cyprus, consecutive Security Council resolutions had been defied, and the island's cultural and religious heritage had been systematically looted by the Turkish occupation forces. Prompt measures should be taken by the international community to find a just and viable solution to that complex international problem, in order to prevent any recurrence of recent violent incidents, which were an anachronism on the eve of the twenty-first century. Any measures taken should be decisive and persistent. Turkey must be swiftly persuaded to abide by international law and to withdraw its troops and settlers from the island. The adoption of the recent proposal by the President of Cyprus for the demilitarization of the island would do much to defuse the current tension and meet the security needs of both communities. His delegation also believed that the prospect of Cyprus joining the European Union would create all the necessary conditions for a comprehensive settlement and for the prosperity of the people of Cyprus. Greece would welcome any new initiative for a just and viable solution based on the relevant United Nations resolutions.

28. The Greek Government was following developments in neighbouring Albania with particular interest and hoped that the reform process there would continue swiftly for the full establishment of a modern system that was respectful of democratic principles and the rule of law and of human and minority rights. His Government believed that the Greek minority in Albania constituted a bridge of

friendship and cooperation between the two countries. He welcomed the encouraging steps that had been taken by the Albanian Government in the educational field and expressed the hope that such policies would continue to be pursued.

Draft resolution A/C.3/51/L.33 on torture and other cruel, inhuman or degrading treatment or punishment

29. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.33 and noted that it contained no programme budget implications.

30. Ms. NEWELL (Secretary of the Committee) said that a number of revisions had been made to the text of draft resolution A/C.3/51/L.33. The first line of paragraph 1 had been reworded to read: "Welcomes the report by the Committee against Torture". In paragraph 7, the words "including Member States" had been inserted after the word "concerned". In paragraph 9, the words "Office of the" had been inserted after the words "Commends the" and the word "and" had been replaced with a stroke and the words "Centre for Human Rights of". In paragraph 12 the word "optional" had been inserted between the words "draft" and "protocol" and the phrase "establishing a preventive system of regular visits to places of detention" had been deleted.

31. Mr. FREDERIKSEN (Denmark), speaking on behalf of the sponsors, pointed out that in paragraph 20, the word "developing" had been replaced by the word "recipient", the word "include" had been replaced by the phrase "consider including" and the word "development cooperation" had been deleted. Argentina, Poland, San Marino and South Africa had joined the sponsors of the draft resolution.

32. Mrs. CASTRO de BARISH (Costa Rica), Mr. KRA (Côte d'Ivoire) and Mr. CHIRINCIUC (Republic of Moldova) said that they also wished to sponsor the draft resolution.

33. Mr. WISSA(Egypt), speaking in explanation of position before the adoption of the draft resolution, said that his delegation had not joined the consensus because the text did not take into account the proposal by his delegation to add a paragraph inviting the Committee against Torture to reflect the views of States parties in his annual report in order to ensure its objectivity. During that Committee's session in May 1996, his country had raised important issues concerning the verification of facts in connection with a confidential inquiry conducted in accordance with paragraph 20 of the Convention against Torture and the inclusion of the findings on that question in the annual report. The Committee against Torture had included only short excerpts from Egypt's reply in its report and had failed to convey Egypt's position on the matter objectively. That selective treatment had taken place in spite of Egypt's request that the report should reproduce in an annex the entire text of the reply, including Egypt's objection to the confidential inquiry, since the Committee had drawn on information from unreliable sources. Lastly, his delegation had no reservations with regard to the Convention against Torture, but would like Egypt's explanation of the entire situation to be reflected in the report of the Third Committee.

34. Draft resolution A/C.3/51/L.33, as orally revised, was adopted.

35. Mr. HUSHEK (United States of America) said that his delegation had joined the consensus on the draft resolution because it strongly supported the United Nations Voluntary Fund for the Victims of Torture, was committed to the goals of the Convention and encouraged full and faithful compliance by all States parties with their obligations. However, while his Government concurred with the endorsement of the methods of work employed by the Special Rapporteur on Torture, it nevertheless felt that it was inappropriate for the Third Committee to comment on particular aspects of the manner in which the Special Rapporteur fulfilled his mandate.

Draft resolution A/C.3/51/L.34/Rev.1 on effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

36. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.34/Rev.1 and noted that it contained no programme budget implementations. Costa Rica, El Salvador, Guatemala, Malta, San Marino, South Africa, Spain, Ukraine and the United States of America had joined the sponsors of the draft resolution.

37. Mr. SPLINTER (Canada) announced that New Zealand had joined the sponsors of the draft resolution. As a result of further consultations, the text had been revised in several places: in paragraph 5, the phrase ", from within existing resources," had been deleted; in paragraph 18, the word "Endorses" had been replaced with the word "Welcomes"; paragraph 21 had been deleted; and in paragraph 22, the words "opportunities for the" had been replaced by the phrase "the feasibility of". It was to be hoped that the draft resolution would be adopted without a vote.

38. Mr. BIGGAR (Ireland) said that his delegation also wished to sponsor the draft resolution.

39. Draft resolution A/C.3/51/L.34/Rev.1, as orally revised, was adopted.

40. Ms. SUGIMORI (Japan) said that, while her delegation had supported the adoption by consensus of draft resolution A/C.3/51/L.34/Rev.1, she felt that the text should have requested the persons chairing the human rights treaty bodies to review their working methods in order to enhance their efficiency, particularly with regard to the consideration of reports.

Statements in the exercise of the right of reply

41. Mr. ZERWA (Sudan) said that he did not know why the representative of the United States of America had made false accusations about the human rights situation in the Sudan. He wondered why the United States Government used double standards, accusing some countries of human rights violations, while turning a blind eye to those committed by some of its allies and ignoring the thousands of political detainees and shielding the killing of unarmed women and children and the occupation of foreign territory as it made use of its veto.

42. In the case of countries like the Sudan, where there were hardly any political detainees, the United States made unfounded allegations of human

rights violations, seeking to link Islam with all sorts of brutality, torture and terrorism. He wondered why the United States relied on oppression and sanctions to impose its views rather than persuasion through dialogue, and why that country found it difficult to cooperate positively in discussing human rights questions. The Government of the Sudan was fully committed to all bilateral and multilateral talks and remained ready to accommodate the concerns of others in accordance with its principle and beliefs.

43. Mr. GHAMOUS (Islamic Republic of Iran) said that the statements made by certain delegations concerning the human rights situation in the Islamic Republic of Iran had not been objective and had been motivated by short-sighted political considerations. Causes of human rights violations in those countries which blamed others for such violations were not infrequent. Various international organizations and non-governmental organizations had reported cases of death in custody, ill-treatment by police, systematic sexual abuse by prison guards, racial violence, police misconduct in responding to racist incidents, and violence against immigrants in the United States of America.

44. In his report on contemporary forms of racism and racial discrimination, xenophobia and related intolerance (A/51/301), the Special Rapporteur of the Commission on Human Rights had reported "a mobilization against foreigners unprecedented since the Second World War", particularly in California. In many Western countries, particularly in Western Europe, similar incidents were increasingly frequent. Stringent attitudes towards immigration and mistreatment of migrants were among those countries' apparent practices, and were an affront to the dignity of the human person.

45. It was regrettable that, instead of striving to halt the widespread gross violations of human rights in their own societies and rectifying their racist and discriminatory attitudes towards nationals of other countries residing in their territories, certain States arrogated to themselves the role of universal guardians and preachers of human rights, levelling unsubstantiated accusations against other countries on a purely selective basis.

46. Mr. ARDA (Turkey), replying to an earlier statement made by the representative of Greece, said that it had become a politically motivated habit of the Greek delegation to take the floor only once during the Committee's deliberations in order to repeat the same allegations against Turkey each year. That attitude could be described as collective obsessive-compulsive xenophobic nationalism, and constituted an abuse of the Committee's valuable time.

47. The division of Cyprus had taken place in 1963, after a campaign of ethnic cleansing initiated by the Greek Cypriot leaders, openly encouraged by Greece, which had resulted in the deployment of UNFICYP to Cyprus the following year. The Greek Government's ambition of annexing Cyprus had led it to engineer the 1974 coup d'état which had set in motion the train of events resulting in the two peoples of Cyprus regrouping in the north and south of the island.

48. Given Greece's direct responsibility for those events, it was hard to understand how that country's representative could make accusations against Turkey such as those contained in his statement, which had been full of distortions and half-truths. The representative of Greece was well aware that Turkey's intervention had been undertaken in accordance with its rights and

obligations under the Treaty of Guarantee, and had been fully legal and legitimate. If Turkish forces had not been deployed, the fate of the Turkish Cypriot people would have been no different from that of the people of Bosnia who had been subjected to ethnic cleansing for a number of years. First and foremost, Turkey was and had been protecting the right to life of the Turkish Cypriot community.

49. His delegation was convinced that both sides could find ways to reconcile their differences on the basis of established parameters. The Turkish Cypriot side was ready and willing to enter into discussions, and Turkey continued to support the good-offices mission of the Secretary-General. It was with sorrow that his delegation noted that Greece continued to encourage the Greek Cypriots to pursue their hostile policy towards any viable, freely negotiated settlement.

50. Mr. MANOLOPOULOS (Greece) said that the representative of Turkey had, as usual, attempted in vain to distort the facts of the situation in Cyprus, which had been reflected in the latest UNFICYP report. Ethnic cleansing had been practiced by Turkey for decades on peoples in other countries and within its own borders, beginning with the Armenian genocide. A series of resolutions, decisions and reports from various international bodies and non-governmental organizations had castigated Turkey for its extremely poor human rights record.

51. He recalled that the first Security Council resolution following the Turkish invasion in Cyprus had called for the immediate withdrawal of the Turkish occupation forces. Many other resolutions had followed, but they had all met with Turkey's persistent refusal to comply. The international community must ultimately draw its own conclusions from such flagrant defiance and take the appropriate measures to find a just and viable solution. Perpetuation of the current situation could only cause unpredictable and uncontrolled tension in the sensitive eastern Mediterranean region.

52. Mr. KORNELIOU (Cyprus) said that his Government was committed to the universal application and promotion of human rights and would show determination in opposing all violations of human rights. The international community must hold fully accountable those who refused to respect the human rights of others or to honour the international commitments they had freely assumed. The question of Cyprus was such a case: 37 per cent of the country's territory continued to be occupied by Turkish forces in complete disregard of numerous Security Council decisions and resolutions. Some 200,000 Greek Cypriots were still denied the right to return to their ancestral homes, and 1,619 persons were still missing as a result of the Turkish invasion. The country's cultural heritage was being destroyed and, in an attempt to change the island's demographic structure, foreign settlers were still being brought in illegally and settled on the property of Greek Cypriots. The basic human rights of the Greek Cypriot population in the north of the island were also still being denied.

53. The Cypriot Government had shown appropriate determination in its efforts to find a just and viable solution and to safeguard the human rights of Greek and Turkish Cypriots alike. It had presented proposals to the Turkish Cypriot side which went far beyond the protection of religious, cultural and linguistic identities and sought to create a bicommunal federal republic. However, the Turkish side had shown no sign of changing its intransigent policy. Referring

the Committee to paragraphs 52 and 53 of the report of the Secretary-General on his mission of good offices in Cyprus (S/1994/629), he observed that the facts as described in those paragraphs spoke for themselves.

54. Mr. ARDA (Turkey) said that the statement made by the representative of Greece in exercise of the right of reply merited no more comprehensive reply than that which he himself had given a few minutes earlier.

AGENDA ITEM 106: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued) (A/51/424; A/C.3/51/L.37 and L.38)

Draft resolution A/C.3/51/L.37 on the rights of the child

55. Mrs. SMOLCIC (Uruguay) said that the sponsors of the draft resolution had agreed that the words "within existing resources" should be deleted from paragraph 35 and that the words "from within existing resources" should be deleted from paragraph 50.

56. Mrs. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, said that, in view of the statement made by the representative of Uruguay, the sponsors of the draft resolution wished to withdraw the amendment tc the draft resolution, contained in document A/C.3/51/L.38.

57. The amendment to draft resolution A/C.3/51/L.37 contained in document A/C.3/51/L.38 was withdrawn.

58. The CHAIRMAN said that the draft resolution contained no programme budget implications.

59. Mrs. SMOLCIC (Uruguay) said that Azerbaijan should have been listed as one of the original sponsors and that Nicaragua, Uruguay and Venezuela should not have appeared on the list of sponsors, as they were included as members of the Group of Latin America and Caribbean States. Jamaica, which was currently chairing that Group, should have appeared instead.

60. There were a number of corrections to be made to the text of the draft resolution: in the second preambular paragraph, the words "to achieve" should be replaced by "of achieving". In paragraph 11, the word "customary" should be deleted. In paragraph 19, the word "all" should be deleted. In paragraph 21, the word "to" in front of "promote peace", should be replaced with "which inter alia". In paragraph 22 the words "physical and psychological recovery" should be inserted after "education". In paragraph 35, the words "the Office of" should be deleted from the phrase "and the Office of United Nations High Commissioner for Human Rights/Centre for Human Rights". Paragraph 47 should read: "Also stresses that women and youth be fully involved in the design, delivery, monitoring, and implementation of measures ..." Paragraph 59 should read: "Stresses the need to combat the existence of a market that encourages such criminal practices against children;".

61. The CHAIRMAN announced that the following countries had become sponsors of the draft resolution: Afghanistan, Albania, Andorra, Australia, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, the Central African Republic, the Congo, Estonia, Fiji, Guatemala, Guinea-Bissau, Hungary, Iceland, India,

Kazakstan, Kenya, Lesotho, the Marshall Islands, Monaco, Mongolia, Mozambique, Nepal, the Niger, Nigeria, Pakistan, Papua New Guinea, Poland, the Republic of Moldova, San Marino, Senegal, Sierra Leone, Singapore, Sri Lanka, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Ukraine, the United Republic of Tanzania and Viet Nam.

62. Mr. DOS SANTOS (Mozambique) proposed that the draft resolution should be adopted without a vote in view of the overwhelming consensus on agenda item 106.

63. Draft resolution A/C.3/51/L.37, as orally revised, was adopted.

64. Ms. TAMLYN (United States of America) said that her delegation wished to reserve its right to make a statement on the draft resolution when it was adopted by the General Assembly in plenary meeting.

65. Mr. PACE (Malta) said that, in joining the consensus on draft resolution A/C.3/51/L.37, his delegation recognized the rights and duties of parents and legal guardians to provide children with appropriate direction and guidance in their exercise of the rights set forth in the Convention. However, Malta reserved its position with regard to the use of the term "reproductive health" in paragraph 29: his country's interpretation of that paragraph was consistent with its national legislation, which considered the termination of pregnancy through induced abortion illegal. In that regard, Malta wished to reaffirm its reservations concerning the Programme of Action of the International Conference on Population and Development, the Programme of Action of the World Summit for Social Development and the Beijing Platform of Action.

66. Mr. BIGGAR (Ireland), speaking on behalf of the States members of the European Union, expressed great satisfaction at the adoption of the draft resolution and welcomed the fact that the draft had no financial implications. In that connection, he stressed the need for prompt submission of information on any programme budget implications before the adoption of draft resolutions, in accordance with rule 153 of the rules of procedure.

67. Ms. NEWELL (Secretary of the Committee) said that the Secretariat was very sensitive to the concerns of delegations regarding programme budget implications and would provide such information as soon as it was received from the Budget Division.

68. Mrs. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, expressed satisfaction at the adoption of the draft resolution.

69. The CHAIRMAN suggested that the Committee should recommend to the General Assembly that it should take note of the report of the Secretary-General on the status of the Convention on the Rights of the Child (A/51/424).

70. It was so decided.

71. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 106.

AGENDA ITEM 108: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/51/427; A/C.3/51/L.23/Rev.1 and L.27/Rev.1)

Draft resolution A/C.3/51/L.23/Rev.1 on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

72. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.23/Rev.1, which had no programme budget implications.

73. Mrs. CASTRO de BARISH (Costa Rica), speaking on behalf of the Group of 77 and China, expressed the hope that draft resolution A/C.3/51/L.23/Rev.1 would be adopted by consensus.

74. Draft resolution A/C.3/51/L.23/Rev.1 was adopted.

75. Mr. HUSHEK (United States of America) said that his delegation wished to reserve its right to make a statement on the draft resolution when it was adopted by the General Assembly plenary meeting.

Draft resolution A/C.3/51/L.27/Rev.1 on the Third Decade to Combat Racism and Racial Discrimination

76. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.27/Rev.1, which had no programme budget implications. Turkey and The former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution.

77. Draft resolution A/C.3/51/L.27/Rev.1 was adopted.

78. Mr. HUSHEK (United States of America) said that his delegation wished to reserve its right to make a statement on the draft resolution when it was adopted by the General Assembly in plenary meeting.

79. The CHAIRMAN suggested that the Committee should recommend to the General Assembly that it should take note of the report of the Secretary-General on the status of International Convention on the Suppression and Punishment of the Crime of Apartheid (A/51/427).

80. It was so decided.

81. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 108.

The meeting rose at 5.40 p.m.